REMARKS

Claims 1-42 are pending and stand rejected. Please cancel claims 3, 5-9, 12-14, 17, 19-23, 26-28, 31, 33-37, and 40-42 subject to refiling. Please amend claims 1-2, 4, 10-11, 15-16, 18, 24-25, 29-30, 32, and 38-39 as shown above.

1. The Office Action objected to the status identifications for claims 4, 7, and 18. The status identifications have been corrected.

2. The Final Office Action rejected claims 1, 15, and 29 under 35 USC 112, second paragraph as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. In particular, the Office Action stated:

> The invention described in the claim limitations is about how to represent statistics about a table creating histogram buckets. The amended limitation describes "performing query optimization" which does not correlate with rest of the claim.

Applicant has amended claims 1, 15, and 29 by deleting the limitation added in the January 3, 2007 Response to Non-Final Office Action and adding a limitation to save in a memory the width and the height of each of the one or more histogram buckets and the one or more high-bias values and numbers of rows for each of the one or more high-bias buckets. Applicant contends that this amendment resolves both the 35 USC 112, second paragraph, rejection from the Final Office Action, and the 35 USC 101 rejection from the October 3, 2006 Non-final Office Action.

3. The Final Office Action rejected claims 1-2, 14-16, 28-30, and 42 under 35 USC 102(b) as being anticipated by Chiang (United States Patent No. 6,477,523). Claims 14, 28, and 42 have been cancelled.

The Final Office Action rejected claims 3-9, 17-23, and 31-37 under 35 USC 103(a) as being unpatentable over Chiang in view of Campos (United States Publication No. 2003/0212702). Claims 3, 5-9, 17, 19-23, 31, and 33-37 have been cancelled.

The Final Office Action rejected claims 10-13, 24-27, and 38-41 under 35 USC 103(a) as being unpatentable over Chiang in view of Campos further in view of Mozes (United States Patent No. 6,691,099). Claims 12-13, 26-27, and 40-41 have been cancelled.

Applicant has amended claims 1, 15, and 29 to include the following limitations:

> repeating the following:
>> (a) determining an average height of the histogram buckets;
>> (b) determining a reclassification threshold based on the average height of the histogram buckets; and
>> (c) concluding that a value associated with one of the one or more histogram buckets occurs in more rows of the table than the reclassification threshold, and, in response, concluding that the number of high-bias values associated with at least one of the one or more high-bias buckets has not reached the maximum number of high-bias values, and, in response, including the value in one of the high-bias buckets for which the number of high-bias values has not reached the maximum number of high-bias values;
>> until no values included in any of the ranges of values associated with the histogram buckets occur in more than the reclassification threshold number of rows in the table;

None of Chiang, Campos or Mozes teaches or suggests these limitations. Accordingly, amended claims 1, 15, and 29 are patentable over Chiang alone, over the combination of Chiang and Campos, and over the combination of Chiang, Campos and Mozes.

The remaining pending claims (claims 2, 4, 10-11, 16, 18, 24-25, 30, 32, and 38-39) depend from one of claims 1, 15, and 29 and are patentable for at least the same reasons.

SUMMARY

Applicant contends that the pending claims are in condition for allowance, which action is requested. Applicant does not believe any fees are necessary with the submitting of this response. Should any fees be required, Applicant requests that the fees be debited from deposit account number 50-4370.

Respectfully submitted,

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Date: October 8, 2007